

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BALING N. DAT,

Defendant.

**8:22-CR-147**

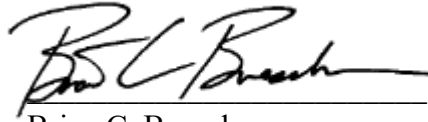
**ORDER**

This matter is before the Court on the defendant's Motion to Proceed In Forma Pauperis. [Filing 446](#). On January 8, 2025, the Court sentenced the defendant to 135 months' incarceration for possession with intent to distribute cocaine and 60 months' incarceration for using or possessing a firearm in relation to a drug trafficking crime. [Filing 440](#) (Judgment). Federal Rule of Appellate Procedure 24(a) requires that "a party to a district-court action who desires to appeal in forma pauperis file a motion in the district court." The Rule further requires the party to "attach an affidavit that: (A) shows in the detail prescribed by Form 4 of the Appendix of Forms the party's inability to pay or to give security for fees and costs; (B) claims an entitlement to redress; and (C) states the issues that the party intends to present on appeal." *Id.* The defendant filed an affidavit in accordance with Form 4, which details his lack of assets and states his intention to challenge the Court's pretrial motion rulings, motion in limine rulings, trial rulings, the jury's verdict, and the sentence in this case. Thus, the defendant is entitled to proceed on appeal in forma pauperis. Accordingly,

IT IS ORDERED that the defendant's Motion for Leave to Appeal In Forma Pauperis, [Filing 446](#), is granted.

Dated this 23rd day of January, 2025.

BY THE COURT:

A handwritten signature in black ink, appearing to read "B. C. Buescher", written over a horizontal line.

Brian C. Buescher  
United States District Judge